

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Brines et al.	Confirmation No.:	7619
Serial No.:	10/520,140	Art Unit:	1647
International Filing Date:	July 3, 2003	Examiner:	Woodward, Cherie Michelle
For:	TISSUE-PROTECTIVE CYTOKINES FOR THE PROTECTION, RESTORATION AND ENHANCEMENT OF RESPONSIVE CELLS, TISSUES AND ORGANS	Attorney Docket No.:	10165-037-999

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56 AND §1.97**

**Mail Stop RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and §1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to references **A102-A107**, **B72-B75**, and **C451-C470** listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant."

Legible copies of References A102, B72-B75, and C451-C470 are submitted herewith.

Pursuant to 37 C.F.R. § 1.98 (a)(2)(ii), copies of references A103-A107 are not submitted herewith because they are U.S. patents or U.S. patent application publications.

A copy of reference B73 is not submitted herewith, as it is the Japanese counterpart to reference B15, which was provided with an English abstract in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application.

Attorneys for Applicants believe that the English language abstract of reference C460 is sufficient for compliance with 37 C.F.R. § 1.98(a)(3). Attorneys for Applicants believe that the English language abstract included with any non-English language references submitted in this or any previously filed Information Disclosure Statements in the above-identified application are also sufficient for compliance with 37 C.F.R. § 1.98(a)(3). Applicants will provide additional information regarding these references upon request by the Examiner.

Applicants also wish to direct the Examiner's attention to the file histories of the following U.S. patent applications:

- U.S. application Serial No. 09/547,220, filed April 11, 2000, now abandoned, disclosed as reference **A15** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 09/716,960, filed November 21, 2000, which issued as U.S. Patent No. 7,410,941 on August 12, 2008, which is disclosed as reference **A99** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 09/717,057, filed November 21, 2000, which issued as U.S. Patent No. 7,345,019 on March 18, 2008, which is disclosed as reference **A98** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 09/717,053, filed November 21, 2000, which issued as U.S. Patent No. 7,309,687 on December 18, 2007, which is disclosed as reference **A97** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 12/123,828, filed May 20, 2008, which published as U.S. Publication No. 2009-0004202 on January 1, 2009, which is disclosed as reference **A52** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 11/893,294, filed August 14, 2007, now abandoned, which published as U.S. Publication No. 2008-0014193 on January 17, 2008,

which is disclosed as reference **A48** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application

- U.S. application Serial No. 11/880,275, filed July 19, 2007, which is disclosed as reference **A18** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 11/881,759, filed July 26, 2007, now abandoned, which published as U.S. Publication No. 2007-0298031 on December 27, 2007, which is disclosed as reference **A46** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 09/753,132, filed December 29, 2000, which issued as U.S. Patent No. 6,531,121 on March 11, 2003, which was cited by the Examiner in a Notice of References Cited in an Office Action, dated September 24, 2008, in connection with the above-identified application
- U.S. application Serial No. 10/185,841, filed June 26, 2002, which published as U.S. Publication No. 2003-0104988 on June 5, 2003, which is disclosed as reference **A27** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application, and which issued as U.S. Patent No. 7,767,643 on August 3, 2010, which is disclosed as reference **A107** in the Information Disclosure Statement submitted herewith
- U.S. application Serial No. 10/188,905, filed July 3, 2002, which published as U.S. Publication No. 2003-0072737 on April 17, 2003, which is disclosed as reference **A25** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 10/351,640, filed January 24, 2003, which published as U.S. Publication No. 2003-0134798 on July 17, 2003, which is disclosed as reference **A29** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application
- U.S. application Serial No. 10/612,665, filed July 1, 2003, which published as U.S. Publication No. 2004-0122216 on June 24, 2004, which is disclosed as

reference **A32** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application

- U.S. application Serial No. 10/676,694, filed September 30, 2003, which published as U.S. Publication No. 2004-0214236 on October 28, 2004, which is disclosed as reference **A34** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application, which issued as U.S. Patent No. 7,718,363 on May 18, 2010, which is disclosed as reference **A106** in the Information Disclosure Statement submitted herewith
- U.S. application Serial No. 10/573,095, filed September 29, 2004, which published as U.S. Publication No. 2007-0129293 on June 7, 2007, which is disclosed as reference **A43** in the Information Disclosure Statement filed on December 18, 2009 in connection with the above-identified application, which issued as U.S. Patent No. 7,645,733 on January 12, 2010, which is disclosed as reference **A105** in the Information Disclosure Statement submitted herewith.

It is respectfully requested that the listed references and file histories be made of record in the above-identified application. Identification of the listed references and file histories is not meant to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as “prior art” against the subject application.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(a)(4) before the mailing date of the first Office Action after the filing of a Request for continued Examination under 37 C.F.R. § 1.114. Thus, no fee is believed due. However, should the Office determine otherwise, please charge any required fee to Jones Day deposit account no. 50-3013.

Respectfully submitted,

Date: September 24, 2010

/Eileen E. Falvey/

46,097

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*Enclosures*